IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

Bail Appl..No. 7446 of 2007()

CRMP.6477 6477/2007 of J.M.F.C.-I,PATHANAMTHITTA
CRIME NO.535/07 OF ARANMULA POLICE STATION

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: PETITIONER/ACCUSED

YESUDAS XAVIER,
S/O.XAVIUR, OZHATHIL VEETIL,
MALLAPPUZHASSERI VILLAGE, KOZHENCHERRY TALUK,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS: COMPLAINANT/STATE

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1. THE SUB INSPECTOR, ARANMULA POLICE
STATION.

2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.7446 of 2007

Dated this the 4th day of December, 2007

ORDER

Application for regular bail. Petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to keep in his possession 8 litres of arrack on 13.11.2007. He was arrested and continues in custody from that date. The learned Public Prosecutor submits that the petitioner has one more case under the Kerala Abkari Act registered against him.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 13.12.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of 2 months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-